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HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, CJ

WRIT PETITION NO.897 OF 2006

PETITIONER

Vishal Endhan Aapurti Sahakari Samiti Maryadit, Korba (A samiti duly registered under the C.G. CO-operative Societies Act, 1960) through – Its President, Smt. Savita Sharma W/o Santosh Kumar Sharma Aged – about 26 years, R/o Main Road, Korba, Distt – Korba (C.G.)

Versus

RESPONDENTS

1. State of Chhattisgarh
Through – Secretary
Department of food and civil supplies and consumer protection, D.K.S. Bhawan, Raipur (C.G.)

2. Joint Director,
Department of Food and Civil Supplies and consumer protection, Raipur (C.G.)

3. Collector and District Magistrate Korba, Distt. Korba (C.G.)

4. Sub Divisional Officer and Magistrate, Katghora, Distt. Korba (C.G.)

5. Asst. Food Officer, Katghora, Distt. Korba (C.G.)

6. Marketing Society, Bankimogara, Through – Its Manager (dealer) Bankimogara, Korba (C.G.)

7. Hasdeo, Upbhokta Bhandar, Nagoei Khar, Through- Its Manager (dealer) Nagoei Khar Korba (C.G.)

8. Marketing Society, Jangalsite, Through – Its Manager (dealer) Jangalsite, Korba (C.G.)

9. Jai Maa Ambe Upbokta Bhandar, Balgi, Through- Its Manager (dealer) Balgi, Korba (C.G.)

10. Consumer Society, Ghurdeva Through – Its Manager (dealer) Ghurdeva, Korba (C.G.)

Present: Mr. Sanjay Patel, learned counsel for the petitioner.
Mr. Yashwant Singh, learned G.A. for the State.

ORAL ORDER
(Passed on 23rd February, 2006)

The petitioner, on an earlier occasion, had filed writ petition No.3036/2005 in this Court complaining that though the Collector and District Magistrate, Korba, the 3rd respondent herein by his order dated 06.10.04, bearing No.2090/Khadya/2004, had authorised the petitioner to distribute kerosene to entire market of Kusmunda Area, Korba, the Sub Divisional Officer and Magistrate, Katghora, District Korba, the 4th respondent herein, by his order dated 06.12.2004 authorised the petitioner to distribute kerosene only in two markets out of 8 markets, without authority of law. That writ petition was disposed of by this Court by order dated 15.07.2005 permitting the petitioner to make a comprehensive representation to the 3rd respondent , within a period of ten days, raising all his grievances and directing the 3rd respondent to decide the representation of the petitioner within a period of 30 days from the date of receipt of the representation. Accordingly, it is stated that the petitioner made a representation to the 3rd respondent on 20.07.2005 and that was followed by one more representation on 30.8.2005. The grievance of the petitioner is that the 3rd respondent has not yet considered the representations, as directed by this Court. I am at a loss to understand how the 3rd respondent, inspite of the direction issued by this Court, sleep over the matter without considering the representations of the petitioner. In that view of the matter, I dispose of this writ petition directing the 3rd respondent, Collector and District Magistrate, Korba to positively consider

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and dispose of the above representations of the petitioner, if not already done, within a period of 15 days from the date of receipt of a copy of this order. It is made clear that if the Collector and District Magistrate, Korba does not comply with the direction of this Court, serious view of the matter will be taken and he will be dealt with in accordance with law. No costs.

Sd/-
Chief Justice

Subby